

ONE RODNEY SQUARE
BOX 636
WILMINGTON, DELAWARE 19899-0636

(302) 651-3000

DIRECT DIAL
(302) 651-3070
EMAIL ADDRESS
TALLINGH@PROBONOLAW.COM

October 10, 2007

BY E-MAIL AND HAND-DELIVERY

The Honorable Joseph J. Farnan, Jr.
District Court of Delaware
844 North King Street
Lock Box 27
Wilmington, Delaware 19801

RE: Dobrich, et al., v. Indian River School District, et al., D. Del. No.
05-120

Dear Judge Farnan:

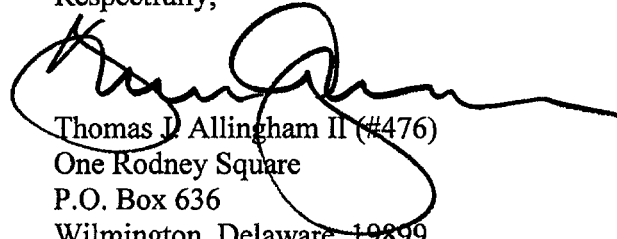
I write concerning the scheduling orders in place for the above-captioned action. As Your Honor may be aware, the parties engaged in a new round of mediation before Magistrate Judge Thyng on August 21, 2007, which resulted in an agreement in principle to settle all issues except School Board Prayer, which the parties agreed to carve out and continue to litigate. Since the mediation, Jason Gosselin, counsel for defendants in the above-captioned action, and I have been working diligently to complete the documentation of this agreement. Thus, although the scheduling order in place for discovery on the Remaining Issues is about to expire, settlement has been our primary focus and neither party has begun discovery on the Remaining Issues.

According to the current scheduling orders for the School Board Prayer issue (D.I. 128, D.I. 204) and the Remaining Issues (D.I. 208), case dispositive motions on both the School Board Prayer issue and the Remaining Issues would be due October 12, 2007. Mr. Gosselin and I have conferred and agreed to seek a delay in this deadline. We request that the Court adopt the attached order requesting that the deadline for case dispositive motions on the School Board Prayer issue be extended until either 30 days after the parties file the settlement agreement with the Court for its approval, or December 12, 2007, whichever is earlier.

I am available at the Court's convenience if Your Honor has questions regarding the foregoing.

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Respectfully,



Thomas J. Allingham II (#476)
One Rodney Square
P.O. Box 636
Wilmington, Delaware 19899
(302) 651-3000
Attorney for the Plaintiffs

cc: Jason P. Gosselin, Esquire (by e-file)
Warren T. Pratt, Esquire (by e-file)